

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RANDALL A. SCOTTI,

Plaintiff,

v.

RICHARD J. CORRIVEAU, ET AL.,

Defendants.

Case No. 08-12952

Honorable Nancy G. Edmunds

ORDER OF DISMISSAL

Plaintiff filed a *pro se* complaint on July 12, 2008, against numerous Defendants seeking relief from various state court decisions and alleging various state-court claims including attorney malpractice. Plaintiff's caption and cover sheet also identify civil rights violations under 42 U.S.C. §§ 1983, 1985, 1986, and 1988.

Review of Plaintiff's complaint reveals no allegations supporting claims under 42 U.S.C. §§ 1983, 1985, 1986, or 1988. Rather, as set out in his "Prayer for Relief," Plaintiff's suit is essentially an appeal of an October 25, 2005 order and November 9, 2005 judgment in a state-court divorce proceeding rendering non-dischargeable attorney fees Plaintiff is obligated to pay in connection with his state-court divorce proceeding. Plaintiff is also seeking to appeal the Michigan Court of Appeals' decision affirming the divorce court order and judgment.

Because Plaintiff's suit is essentially an appeal from various state-court decisions, his Complaint is DISMISSED. "The federal district courts do not hear appeals from state

courts.” *Givens v. Homecomings Financial*, No. 07-2359, 2008 WL 2121008, *1 (6th Cir. May 20, 2008). Pursuant to the *Rooker-Feldman* doctrine, “lower federal courts lack subject matter jurisdiction to review the decisions of state courts.” *Id.* at *1 (citing *D.C. Ct. of App. v. Feldman*, 460 U.S. 426, 476 (1983); *Rooker v. Fid. Trust Co.*, 263 U.S. 413, 416 (1923)). Although “the application of *Rooker-Feldman* is confined to ‘cases brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments,’” Plaintiff’s lawsuit “fits squarely within this narrow range of cases over which jurisdiction does not exist.” *Id.* at **1-2 (quoting *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005)).

Plaintiff seeks to have this Court issue an order vacating the October 25, 2005 state-court order, November 9, 2005 state-court judgment, and March 20, 2006¹ decision by the Michigan Court of Appeals and to declare them void. “Because the point of this suit is to obtain a federal reversal of a state court decision, dismissal on the grounds of *Rooker-Feldman* [is] appropriate.” *Id.* at *2.

Plaintiff’s complaint is hereby DISMISSED WITH PREJUDICE.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: July 15, 2008

¹Plaintiff’s complaint also identifies March 20, 2007 as the issue date for the decision by the Michigan Court of Appeals.

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 15, 2008, by electronic and/or ordinary mail.

s/Carol A. Hemeyer
Case Manager